Scott. II-67—30,004—24-10-44.

Public (War) (1945) Department

MS. SERIES.

Perused
31/12/45
31.12.45

G.O. No. 3014

Dated 24-12-45

[Despatch Abstract.]

Military - Recruitment - Alleged forgery by two military recruiters in South Kanara - Prosecution - Sanction of the Governor general Papers recorded.

32232/21.9.45

Prof.J.No.3695-45-C3. S.Kanara Dt.Magistrate's office, Mangalore, dated: 18th Sep.1945

From
Rao Bahadur Sri P.Ramadoss,BA
Dt.Magistrate, S.Kanara.

To
The Secretary to Government,
Home Department, Madras.

Sub:- Prosecution - offences under sections 468, 471, 420/511, 409 and 477 I.P.C. - Crime No.6/1945 of Mangalore South Station - Accused P.L.D'Souza and L.Z.Machado, Paid Recruiters, Mangalore - Sanction of the Governor-General under section 270 of the Government of India Act - Requested.

Ref:- Public(War) G.O. I enclose a copy of the report dated 25-8-1945 of the Sub-Inspector of Police, Crime Branch, Mangalore, together with the Dy.Police Superintendent's remarks dated 2-9-1945 recommending the prosecution of (1) P.L.D'Souza and (2) L.Z.Machado, Paid recruiters in the Technical Branch at Mangalore and accused in Crime No.6/1945 of Mangalore South Station for offences under Sections 468, 471, 420/511, 409, 477-A I.P.C. The two accused were appointed as paid recruiters and it is obvious that the offences were committed by them in the discharge of their duties. I request that the Governor-General may kindly be addressed to accord sanction under ~~Section~~ 270(1) of the Government of India Act to prosecute the said accused P.L.D'Souza and L.Z.Machado.

2. The intention of the commission of the offences was noticed by the Station House officer on 9-1-1945. The delay in moving the necessary for obtaining the sanction of the Governor-General was unavoidable as explained by the Sub-Inspector in his report dated 9-9-1945, copy of which is enclosed.

3. Copies of draft charge sheets are also enclosed.

for Dt.Magistrate.

18.9.45

Home Dept. Public(War) G.O. 24-9-45 Home U.O 32232 24-9-45

UNDER SECRETARY 25 SEP 1945 1840 PUBLIC DEPARTMENT

SECRETARY TO GOVERNMENT 21 SEP 1945

[illegible] Sub-Inspector of Police, Crime Branch, Mangalore to [illegible] Magistrate, S.Kanara, thro' the Dt.Superintendent of Police, South Kanara.

****

I beg to report that P.L.D'Souza of Bijai in Mangalore and L.Z.Machado c/o Placido Machado, Kapriguddi, in Mangalore were appointed as Paid Recruiters in the Technical Branch at Mangalore on 16-11-1943 and 1-7-1944 respectively by the Deputy Technical Recruiting Officer, Coimbatore. They held this post till 16-9-1944 and 28-9-1944 respectively.

Recruiter P.L.D'Souza submitted his T.A.Bill for August 1944 for Rs.10-11-6 to the Deputy Technical Recruiting Officer on 7-9-1944. He submitted his T.A.Bill for September 1944 for Rs.10/13/6 to the same officer on 14-9-1944. The bus tickets attached to these bills in support of the claims were forged ones and the claims themselves were false. Recruiter L.Z.Machado submitted his T.A.Bill for August 1944 for Rs.9-10-0 to the D.T.R.O. on 7-9-1944. The bus tickets attached to the bill in support of the claims were forged ones and the claims were false.

Recruiter P.L.D'Souza was entrusted with 266 railway warrants during the period of his service by the D.T.R.O.Coimbatore for the purpose of sending the recruits, enlisted by him at Mangalore, to Coimbatore. Before entrusting these warrants to the recruiter the D.T.R.O. had noted the place of destination as Coimbatore and the class of travel as 3rd Class in all these warrants. The recruiter altered the place of destination noted in Railway warrants K.L.79 from Coimbatore to Bombay. The place of destination noted in warrant K128317 was altered by him and Bombay was shown as the place of destination. The place of destination noted in ~~(illegible)~~ warrant L.[illegible] was also altered by him and the place of destination was noted as Poona. The class of travel noted in warrants E.505518 and K.L.79 were altered by him from 3rd class to 2nd class. He allowed private persons to travel to the above places from Mangalore on the Authority of the altered warrants and the Railway Fare of Rs.174/- collected from these persons was utilised by him.

On a complaint received from the Military Authorities, in this connection, Crime No.6/1945 of Mangalore South Station was registered. Investigations into this case discloses that recruiter P.L.D'Souza has committed offences under Sections 468, 471, 420/511, 409 and 1,P.C. and recruiters L.Z.Machado has committed offences under Sections 468, 471, 420/511 I.P.C. Copies of the charge-sheets to be laid against them are enclosed. P.L.D'Souza was discharged by the D.T.R.O.on 16-9-1944 and L.Z.Machado was discharged on 28-9-1944.

Since it is necessary to obtain the sanction of the Governor-General in Council to prosecute the Recruiters for the offence committed by them in their official capacity, I beg to request that the Government of India may be addressed to accord the required sanction.

Sd/----------
S.I.of Police.

[illegible] Submitted.

Sd/----------
Inspector (B).30-8-1945.

Forwarded to the Dt.Magistrate, S.Kanara. The necessary sanction of the Governor-General may please be obtained at an early date.
1-9-1945.

Sd/----------
Dt.Superintendent of Police
South Kanara.

Copy of Sub-Inspector's further report dated 9-9-1945.

****

Resubmitted.

The complaint in this case from Vol.Commander Tel.Sol, RNVR, was received in Mangalore South Station on 9-1-1945. The complaint was to the effect that the accused, while appointed as Paid recruiters, were instrumental in forging certain railway warrants and certain bus tickets and that they also claimed false T.A. in lieu of the forged bus tickets.

The original forged railway warrants were not received in the station along with the complaint. Investigation into the matter of

P.T.O.

CHARGE SHEET NO.7.

5

Mangalore South Station Crime No.6/45.

King Emperor
Vs.
P.L.D'Souza, of Bijai,
Mangalore.

Charge-Sections 468,471,420-511 I.P.C.

The first charge against the accused noted above is that he on or about 7-9-44 at Mangalore forged bus tickets Nos.54472,72475,62652, 66598,41699,33732,63523,73134, for the purpose of supporting a false T.A.Claim for the month of ~~Augus~~ August 1944, and intending that they shall be used for the purpose of cheating the Government and he thereby committed an offence punishable under Section 468 I.P.C.

The Second Charge against the accused noted above is that he on or about the same time and place as noted above fraudulently and dishonestly used the bus tickets noted above, knowing or having reason to believe that they are forged documents, and thereby committed an offence punishable under section 471 I.P.C.

The third charge against the accused noted above is that he on or about the same time and place as noted above attempted to cheat and thereby dishonestly induce the Government to disburse travelling allowance amounting to Rs.10-11-6 to him on the fopresentation of the false T.A. Bill dated 7-9-44 and thereby committed an offence punishable under section 420 I.P.C. read with section 511 I.P.C.

Memo of evidence P.W's.	Points to prove.
1. Capt. J.C.Nicholas, D.T.R.O.	To prove the receipt of the T.A. Bill dt.7-9-44 sent by the accused and also his enquiries in the matter.
2. Mr.Subramaniam A/c Clerk,D.T.R.O's Office,Coimbatore.	To prove the checking of the T.A. Bill submitted by the Accused and the consequent detection of fraud.
3. P.Padmanabha Prabhu, Clerk, Joint Booking Office, Kodialbail.	To prove the counterfoils of the bus tickets attached by the Accused to his T.A.bill.
4. E.P.I.Joshua, paid Recruiter Recruiting Office,Mangalore.	To prove the handwriting of the accused.
5. Mr.R.D.Souza, Sub Inspector of Police,Mangalore.	To prove his investigation in the case.

Sd/x x x x x
Sub Inspector of Police,
Crime Branch.

Mangalore.
Dated 25-8-45.

P.T.O.

Charge sheet No.3:

Mangalore South Stationcrime No.6/45.

King Emperor
Vs.
P.L.D'Souza of Bijai in Mangalore.

Charge:Sections 409 and 477-A.I.P.C.

The first charge against the accused noted above is that he between 30-10-43 and 9-12-43, 15-11-43 and 9-12-43, 24-7-44 and 17-8-44 at Mangalore, being entrusted with Railway Warrants K. 128217, K127948, N505518 in his capacity of a Public servant, dishonestly used and disposed of the said warrants in violation of the directions prescribed in the said warrants, and thereby committed an offence punishable under Section 409 I.P.C.,

The second charge against the accused is that he on or about the same time and place as noted above willfully and with intent to defraud altered and falsified the above said railway warrants, and thereby committed an offence under section 477A. I.P.C.

Memo of Evidence.	points to prove.
P.W's.	
Capt. J.C.Nicholas DTRO. Coimbatore	To prove the entrustment of the Railway warrants to the accused and the accused using them in violation of the conditions on which the warrants were entrusted.
2. Mr. Subramaniam, A/c.Clerk, DTRO's office, Coimbatore.	To prove the statement submitted by the accused in respect of the use of these warrants.
3. E.P.I. Joshuava, paid Recruiter Recruiting Officer, Mangalore.	To prove the handwriting of the accused.
4. Govinda Marar, Booking clerk, Railway Station, Mangalore.	To prove that the accused presented railway warrants K. 127948 and N. 505518 for exchanging and they exchanged the warrants.
5. Manabala Shetty, Booking clerk, Railway Station Mangalore.	
6. R.D.Souza, Sub Inspector of police, Mangalore.	To prove his investigation in the case.

Mangalore,
25-8-45.

Sd. x x x
Sub Inspector of police,
Crime Branch.

(True Copy)

P.T.O.

19/9/45

Public (War) dept.

Please see the letter from the D.M. of South Kanara at f. 1 ante. This seems to be a matter for consideration in Home who are concerned with Prosecutions — cf. G.O. No. 3313, Home, dated 9-11-44, in which that Dept have issued instructions regarding obtaining the sanction of the Governor-General under sec. 270 of the G. of I. Act. (In a recent case of a clash between military and civil personnel at Manamadura, the question of addressing the Govt of India for sanction to prosecute, Lt Sahni and two G.O.Rs under sec. 270 of the G. of I. Act was also considered in that dept). This may therefore be returned to Home for necessary action.

A

p. 81 of Stock file put up removed

C

Pub (War) WD: 1840/45-1.

ASSISTANT SECRETARY TO GOVERNMENT 27 SEP 1945 HOME DEPTT. MADRAS

25/9/45

33144

26/9/45

26.9.45

27/9/45 Home

Home Dept. (D).

Please see the Public (War) Department's note on p.9 ante.

With reference to A on p. 9 ante, it is submitted that in G.O. No. 3313, Home, dated 9.11.44. the Govt. of India's general instructions on the question of obtaining the Governor-General's consent for the prosecution of an Indian soldier for a driving offence were communicated. A copy of this G.O. was communicated to Public (War) Department.

In cases where the consent of the Governor-General is to be obtained, the Dept. concerned address the Secretary to the Governor-General (Public). The Public Works Dept. addressed the Secgg. for the sanction for prosecution in certain cases, e.g.,

(1) Prosecution of Namasivayam Pillai, Permanent Way Inspector in connection with a goods train accident between Pudukad and Iringalkonda;

(2) Prosecution of M.P. Joseph, Driver, in connection with the Electric Goods train accident at Egmore.

With reference to 'C' on p. 9 ante, it is submitted that the cases dealt with in this department related to a civil-military clash. In G.O. No. 2332. Home. dated 16.7.45. the Govt. declined to sanction the prosecution of Lt. Sahni in a civil court; and following the line of action taken in regard to Lt. Sahni, the Govt. ordered in Memo. at p. 6 of (Q) to stay proceedings against the other two I.O.Rs. and to deliver them to the military authorities for trial by court-martial.

In the present case, the D.M. has recommended that the consent of the Governor-General may be obtained under sec. 270 of the Govt. of India Act, 1935. to prosecute the two accused for offences committed by them in the discharge of their official duties. It is for orders whether the file may be returned to Public (War).

ASSISTANT SECRETARY TO GOVERNMENT 4 - OCT 1945

UNDER SECRETARY 1974 8 - OCT 1945 PUBLIC DEPARTMENT

Home Dept. I-21—400—23-12-39A

GOVERNMENT OF MADRAS

4546
3/6

Received ——— 193 *Registered* ——— 193

Abstract.

PETITION FOR MERCY.

G.O. No. 1416 & 1499 D.

HOME DEPARTMNT.

READ the following paper:—

ENCLOSURE

Letter—from the Superintendent of the District Jail, Madura

To— No. R. 290-28-40 dt 17.5.40.

Date—

No. P11.

ABSTRACT.—Forwarding petition for mercy from Convict No. under sentence of death in Sessions Case No. ~~of 193~~ and confirmed by the ~~High Court of Judicature~~.

D-1

MEMO. No. 1416 dated 3-1- 1941.

Having considered the circumstances of the case set forth in the foregoing paper, the Governor ~~in Council~~ of Madras sees no reason to interfere with the sentence of death passed on Convict No. 1416, Vellaya Thevan.

2. The petition will be forwarded to the (Secy to the Govt. Genl. (Public)) ~~Government of India~~ and the execution of the prisoner should be postponed until the receipt of the orders of the ~~that Government~~. Govt. Genl

1/6/40

Fwd 26.

To

The Superintendent of the District gaol, Madura

Draft

Public (War) Department. 12

Letter No. 1974/46/1 dated. 17.10.45

To

The Secretary to the Governor-General (Public)
N E W D E L H I.
(with copy of Mpl-8 etc)

Sir,

Military - Recruitment - Alleged forgery of Records - Crime No.6/1945 of Mangalore South Station - Prosecution - Sanction of the Governor-General - Requested.
Ref: From the D.M. of South Kanara C.No.. 3695-45-C3 dated 18-9-45.

I am directed to enclose herewith a copy of the letter from the D.M. of South Kanara cited above. Mr. P.L.D'Souza and Mr.L.Z.Machado, two paid recruiters of Mangalore are alleged to have submitted false T.A. bills supported by forged bus tickets. Recruiter P.L.D'Ssouza, who was entrusted with 266 military railway warrants (for third class journey) for the purpose of sending recruits to Coimbatore, is alleged to have altered both the destination and the class of journey specified in the warrants and sold them to

3

private persons and collected a sum of Rs.172/-

Both the recruiters have since been discharged form service and then on a complaint from the military authorities the South Kanara police have registered a a case against the accused. Mr. P.L.D'Souza is charged with offences under Sec.468, 471, 420/511, 409 and 477A of the I.P.C. and Mr. Machado under Sec. 468, 471 and 420/511 of the I.P.C. Copies of the charge sheets are enclosed.

As contemplated by, with reference to Sec. 270 of the Govt. of India Act, 1935, I am to request that the sanction of the Governor-General may be accorded for the prosecution of the two accused, as both of them ~~are~~ were employees of the Govt. of India and as the offence was committed by them while they were discharging their duty.

10/10/45

10/10/45

10/10/45

9.X.45

NAFRD. 207/12/45

Public (war) Dept 14

Letter No 974/45-3 dt. 20-11-45

Rec'd on 21-11-45

To, The Secretary to the Governor-General (Public)
New Delhi

Copies 69/2541
21/11/45

Sir,

Subject:- Military - Recruitment - Inspection Enquiry & Records - Crime No. 6/1945 of Mangalore South Station - Prosecution - Sanction of the Governor-General - ~~Refused~~.

Ref:- This Govt's letter No. 1974/45-2 dt. 17-10-45

pp. 12-13 C/F

I am directed to request ~~enquire~~ that ~~whether~~ an early reply ~~may be expected~~ to the letter cited above

Box

19/11/45

19.11.45

9/11/45

15

Government of Madras

FINANCE (PENSION) DEPARTMENT

Memo. No. 31645-Pen.-3, 19th December 1940

Defence Savings Provident Fund—Special forms of schedule.

READ—the following papers:—

Memorandum No. 26352-Pen.-3, dated 2nd August 1940.

Accountant-General's letter to all Heads of Departments, etc., No. Fds. 9-609/G-1, dated 20th August 1940.

From the Accountant-General, No. D.P.F. 2611, dated 16th December 1940.

Memorandum—No. 31645-Pen.-3, Finance (Pension), dated 19th December 1940.

The Accountant-General has since intimated that the special schedule forms have been standardized as D.S.P.F. 2 and printed and have been sent by the Manager of Forms Press, Calcutta, to the Superintendent, Government Press, Madras. In modification of the instruction issued in Memorandum No. 26352-Pen.-3, dated 2nd August 1940, departments of the Secretariat, heads of Departments and others are requested to indent on the Superintendent, Government Press, Madras, and not on the Superintendent of Stationery for the required number of forms.

J. P. L. SHENOY,
Deputy Secretary to Government.

To the Departments of the Secretariat.
,, all Heads of Departments.
,, the Superintendent, Government Press, Madras.
,, the Superintendent of Stationery.
,, the Accountant-General, Madras (General Provident Fund Section).

(True copy)

Forwarded to

(By order)

Superintendent

H5587 D 5.12.45

16

Rel.C3-3093-43. 3

S.Kanara Dt.Magistrate's Office,
Mangalore dated 29-11-45

From

Rao Bahadur Sri P.Ramadoss,B.A)
Dt.Magistrate of S.Kanara.)

To

The Secretary to Government,
Home Department,
Madras.

Sir,

Criminal Justice - Sections 408,471,420,511,409 and 477 I.P.C - Prosecution - Accused F.L.D'Souza and L.A.Machado - Paid Recruiters - Sanction of the Governor General - Orders - Requested.

Ref: This office Rel.C3-3093-43 dated 18-9-43. P 1 CF.

I request the favour of early orders on my reference cited above.

for Dt.Magistrate.

30.11.45

Public (war) Dept. 18

Memo No. 1974/45-4 dated 6-12-45

Military - Recruitment - Alleged forgery of records - Crime No. 6/1945 of Mangalore South Station - Sanction of the Governor-General for prosecution - Requested.

Ref:- Letter no. C3-3695-45 d. 29/11. cor from the D.M. of South Kanara.

The D.M. South Kanara is informed that the matter has been referred to the Secretary to the Governor-General and his reply is awaited.

To

The D.M.
South Kanara.

19

Government of Madras

FINANCE (PENSION) DEPARTMENT

Memo. No. 31645-Pen.-3, 19th December 1940

Defence Savings Provident Fund—Special forms of schedule.

READ—the following papers :—

Memorandum No. 26352-Pen.-3, dated 2nd August 1940.

Accountant-General's letter to all Heads of Departments, etc., No. Fds. 9-609/G-1, dated 20th August 1940.

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J. P. L. SHENOY,
Deputy Secretary to Government.

To the Departments of the Secretariat.
,, all Heads of Departments.
,, the Superintendent, Government Press, Madras.
,, the Superintendent of Stationery.
,, the Accountant-General, Madras (General Provident Fund Section).

Public (War) Dept.

EXPRESS LETTER No. 1974/45-5 dated 11-12-45

From: RESONABILL, MADRAS.

To: SECGG (PUBLIC), NEW DELHI.

Ajal 11-12-45

Military - Recruitment - Alleged forgery of Records - Crime no. 6/1945 of Mangalore South Station - Prosecution - Sanction of the Governor-General ~~Requested~~

Ref: This Govt's letter no. 1974/45-2 Public (War) d. 17.10.45.

1/p 12-13 CA

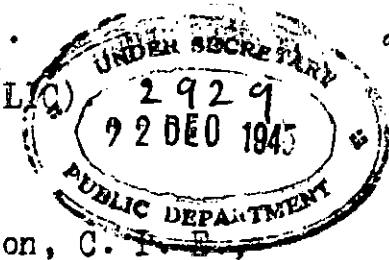
~~Orders of the Governor-General may kindly be expedited~~ Early orders requested.

11/12/45 AL 11.12.45

11/12/45

22

No.25/179/45-GG(B).
SECRETARIAT OF THE
GOVERNOR-GENERAL (PUBLIC)



From

Rao Bahadur V. P. Menon, C. I. E.,
Secretary to the Governor-General
(Public).

To

The Secretary to the Government of
Madras, Public (War) Department.

New Delhi 3, the 17th December 1945.

Subject:- Consent of His Excellency the Governor-General under section 270(1) of the Government of India Act, 1935, to the prosecution of Mr. P.L.D'Souza, military recruiter, Mangalore, under sections 468, 471, 420/511, 409 and 477-A of the Indian Penal Code, in one case; and Mr. P.L.D'Souza, military recruiter, Mangalore, under sections 468/109, 471/109 and 420/409 and 511/109 of the Indian Penal Code and 2.I.Z.Machado, military recruiter, Mangalore, under sections 468, 471, 420/511 of the Indian Penal Code in the other.

Sir,

With reference to your letter No.1974/45-2, dated the 17th October, 1945, I am directed to forward herewith two consent orders in the cases noted above.

I have the honour to be,
Sir,
Your most obedient servant.

Secretary to the Governor-General (Public).

Moin.

SECRETARIAT OF THE
GOVERNOR-GENERAL (PUBLIC)

ORDER.

The Governor-General in his discretion has been pleased to grant his consent under sub-section (1) of section 270 of the Government of India Act, 1935, to the institution of criminal proceedings against (1) I.Z.Machado, paid recruiter in the Technical Branch, Magaloro, who is alleged to have, on or about the 7th September 1944, forged bus tickets Nos. 33733, 72477, 43443, 72479, 66701, 56156, 63524 and 64251 with the intention to cheat Government and fraudulently used them as genuine, and then attempted to cheat and dishonestly induce Government to disburse to him travelling allowance amounting to Rs.9-10-0 on the representation of the false Travelling Allowance Bill, dated the 7th September 1944, in circumstances constituting offences punishable under sections 468, 471 and 420/511 of the Indian Penal Code, and/or other provisions of law; and (2) P.L.D'Souza, paid recruiter in the Technical Branch, Mangaloro, who is alleged to have, at or about the same dates, abetted in the commission of aforesaid offences punishable under sections 468, 471, 420/511 read with section 109 of the Indian Penal Code and/or other provisions of law.

V.P. Menon,
Secretary to the Governor-General(Public)

New Delhi,
The 17th December 1945.

Government of Madras

PUBLIC (SERVICES) DEPARTMENT

G.O. No. 351, 13th February 1940

Public Services—Madras Subordinate Services Penalties and Appeals Rules, 1937—Offices of the Paymaster, Carnatic Stipends, and Superintendent of Stamps and Stationery—Authority competent to impose punishments—Changed—Special rules—Amended.

READ—the following papers :—

G.O. No. 2034, Public (Services), dated the 10th December 1936.

G.O. No. 349, Public (Services), dated the 13th February 1940.

Order—No. 351, Public (Services), dated 13th February 1940.

The following notification will be published in the *Fort St. George Gazette* :—

NOTIFICATION

SECRETARIAT OF THE GOVERNOR-GENERAL (PUBLIC)

O R D E R.

The Governor-General in his discretion has been pleased to grant his consent under sub-section (1) of section 270 of the Government of India Act, 1935, to the institution of criminal proceedings against P.L.D'Souza, paid recruiter in the Technical Brach at Mangalore, who is alleged to have committed criminal acts as specified in the schedule below during or about the period noted against each, in circumstances constituting offences punishable under Sections 468, 471, 420/511, 409 and 477-A of the Indian Penal Code, and/or other provisions of law:-

SCHEDULE

OFFENCES	PERIOD OF COMMISSION
1. He forged bus tickets Nos.54472, 72475, 62652, 66598, 41699, 33732, 65523 and 73134 with the intention to cheat Government and fraudulently used them as genuine and then attempted to cheat and dishonestly induce the Government to disburse to him travelling allowance amounting to Rs.10-11-6 on the representation of the false Travelling Allowance Bill, dated the 7th September 1944;	On or about the 7th September 1944.
2. He forged bus tickets Nos.62654, 72820, 66600, 60701, 41700, 62653, 54473 and 72476 with the intention to cheat Government and fraudulently used them as genuine and then attempted to cheat and dishonestly induce Government to disburse to him travelling allowance amounting to Rs.10-12-6 on the representation of false Travelling Allowance Bill dated the 14th September 1944; and	On or about the 14th September 1944
3. He dishonestly used and disposed of the railway warrants Nos.K.128217, K.127948 and 505518 which were entrusted him in his capacity of a public servant and willfully and with intent to defraud altered and falsified the abovementioned railway warrants.	Between 30th October 1943 and 17th August 1944.

V.P. Menon
Secretary to the Governor-General(Public)

New Delhi
The 17th December 1945.

Government of Madras

PUBLIC (SERVICES) DEPARTMENT

G.O. No. 351, 13th February 1940

Public Services—Madras Subordinate Services Penalties and Appeals Rules, 1937—Offices of the Paymaster, Carnatic Stipends, and Superintendent of Stamps and Stationery—Authority competent to impose punishments—Changed—Special rules Amended.

READ—the following papers :—

G.O. No. 2034, Public (Services), dated the 10th December 1936.

G.O. No. 349, Public (Services), dated the 13th February 1940.

Order—No. 351, Public (Services), dated 13th February 1940.

The following notification will be published in the *Fort St. George Gazette* :—

NOTIFICATION.

In exercise of the powers conferred by paragraph (*b*) of sub-section (2) of section 241 of the Government of India Act, 1935, His Excellency the Governor of Madras is hereby pleased to make the following amendment to the Madras Subordinate Services Penalties and Appeals Rules, 1937, published with Public (Services) Department Notification No. 30, dated the 10th December 1936, at pages 65 to 113 of Part I of the *Fort St. George Gazette*, dated the 19th January 1937, as subsequently amended.

The amendment hereby made shall be deemed to have been made and to have come into force on and from the 9th December 1939.

AMENDMENT.

In the Schedule to the said rules,

(i) under the heading "Paymaster, Carnatic Stipends" item I and the entries relating thereto shall be omitted and item II shall be renumbered as item I,

(ii) under the heading "Revenue Department" under the sub-heading "IV. Madras Ministerial Service" for the entry against item 2 (i) in column (1), the following entry shall be substituted, namely :—

"Staff under the direct control of the Collector, including in the case of the Collector of Madras the staff of the Madras Taluk Office and the office of the Paymaster, Carnatic Stipends, and of the Superintendent of Stamps and Stationery", and

(iii) for the heading "Stamp and Stationery Office" and the entries thereunder the following heading and entries shall be substituted, namely :—

"*Stamp and Stationery Office.*

I. Members of the Madras General Subordinate Service.	Assistant Superintendent.	..	Assistant Superintendent.	Assistant Superintendent.	Assistant Superintendent.	Assistant Superintendent.	Assistant Superintendent.	Superintendent.
II. Members of the Madras Inferior Service.	Do.	Assistant Superintendent.	Do.	Do.	Do.	Do.	Do.	Do."

(By order of His Excellency the Governor)

D. N. STRATHIE,
Chief Secretary.

Public (war) Deptt

Memo no 1974/45-b — Dated - 24-12-45

Military - Recruitment - Alleged forgery of records - Prosecution of Military recruiters D. Z. Machado and P.L D'Souza Sanction of the Governor-General Ref:- D.M's letter No. C.3695-45-C3 dt 18.9.45

p 1 cf

Mp 24-26 cf

The two consent orders received from the Secretary to the Governor General (Public) in connection with the prosecution of the military recruiters mentioned above are forwarded to the D.M. of S. Kanara in original.

24.12.45

24/12/45

To the D.M. of S. Kanara ✓ Mangalore

(with Mp 24-27 in orgl (keeping copy) by regd post.

27/12

Military - Recruitment - Alleged forgery of records Crime No.6/1945 of Mangalore South Station - Sanction of the Governor-General for prosecution - Requested.

From the D.M. of South Kanara C.No.3695-45-C3 dated 18-9-45.

Please see the letter from the D.M. of S.Kanara at page 1 C.F. and Home Dept. notes on page 10 C.F.

Mr.P.L.D'Souza and Mr.L.Z.Machado, two paid recruiters of Mangalore are alleged to have submitted false T.A. bills supported by forged bus tickets. Recruitor P.L. D'Souza who was entrusted with 266 military railway warrants (for third class journey) for the purpose of sending recruits to Coimbatore is alleged to have altered both the destination and the class of journey specified in the warrant, and sold them to private persons for a sum of Rs.172/-

On a complaint from the military authorities the South Kanara police authorities have registered a case, Crime No.6/1945. Mr. P.L.D'Souza is charged with offences under Sections 468, 471, 420/511, 409 and 477A I.P.C. and Mr. Machado under Sections 468, 471, and 420/511 I.P.C. Both the recruiters have since been discharged from service.

A copy of the Charge sheet is at pages 5-8 C.F

The Police authorities request that the sanction of the Governor-General may be obtained for prosecuting the accused as the offence was committed while discharging their military duties, as contemplated by Sec.270 of the Govt.of India Act, 1935. The D.M. South Kanara also recommends that the Governor-General may be addressed in the matter on the recommendation of the P.P.

Draft letter to the Secretary to the Governor-Genl. is submitted for approval. ~~Home~~ Legal may see before issue.

Public (War) 20
1974/45-1
10.10.45.

9.10.45

9.10.45.

Legal 10/10/45

LEGAL DEPARTMENT

Seen in Legal.

12.10.45 Public (War) Dept.

The draft may issue now.

Please

6101C

Legal No 6101C1 12-10-45

13.10.45

13.10.45

10/10/45 C.S.

[Issued letter No. 1974/45-2 d. 1.11.45]

From the D.M. South Kanara No. C.D. 3695-45 d. 29.11.45.

Please see the reminder from the D.M. of South Kanara enclosed. The copy of our previous letter on 20.11.45 and a reply is awaited. A draft in Tamil reply to the D.M. is submitted for approval.

Please remind Secy. for Govt. again by express letter.

5/12/45 5.12.45 6/12/45

[Issued letter No. 1974/45-4 d. 6.12.45]

A draft express letter is submitted after ack.

11/12/45

[Issued Exp. letter No. 1974/45-5 d. 11.12.45]

From the Secretary to the Gov. Genl (Pub) No. 25/179/45-GG(B) d. 17-12-45.

The two consent orders received from the Secy to the G.G. may now be sent in original to the D.M. of South Kanara, copies being kept for file. A draft memo is submitted for approval. After issue, the pap. may be recorded.

24/12/45 24.12.45

[Issued Memo No. 1974/45-6 d. 26.12.45]

G.O. No. 3014 MS 24-12-45

Military - Recruitment - Alleged forgery by two Military recruiters in S. Kanara - Prosecution - Sanction of the Govr. General - Papers recorded.